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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,532	08/26/2003	Josef Widmer	116883	2273
25944	7590	06/30/2004	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			CULLER, JILL E	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 06/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application N .

10/647,532

Applicant(s)

WIDMER, JOSEF

Examiner

Jill E. Culler

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 20040105
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities:

On page 1, line 6, and page 3, lines 38-39, the specification refers to the features of claims 1 and 8. These references are inappropriate, because the content of the claims can change during the course of prosecution.

On page 6, line 15, it appears that reference numeral "11" should be "12" instead, as the severing device has been referred to elsewhere as "12" and the reference numeral "11" has been used elsewhere to refer to the advancement arrangement.

On page 7, line 6, there appears to be some text missing from between "sheets 31" and "cut off".

Appropriate correction is required.

### ***Claim Objections***

2. Claims 11 and 13-17 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. The claims are drawn toward the operation of the system, rather than toward the structure of the system.

Claim 18 is objected to because of the following informalities: In claim 18, the recitation of a non-mechanically operating high-speed printer is confusing, as all printers

could be considered to require mechanical operation to at least some extent. It appears that applicant intends to claim a limitation for the type of printing that is carried out, rather than the entire printer.

Appropriate correction and/or clarification is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 8-9 and 14-15 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,751,298 to Crowley.

With respect to claims 8-9, Crowley teaches an arrangement for feeding a printer, 80, with individual sheets, 86, see column 5, lines 39-44, having a store for a paper web which comprises a rotatably mounted supply roll, 98, which comprises a wound-up paper web, see column 6, lines 19-20, having an advancement arrangement, 100, for advancing the paper web, see column 6, lines 25-32, having a severing device, 138, 10-14, which is arranged downstream of the advancement arrangement and is intended for severing individual sheets from the paper web on account of a sheet-requesting control command, and having a conveying device, 118, see column 6, lines 55-65, which is arranged downstream of the severing device and is intended for feeding

the severed individual sheets to the sheet draw-in arrangement of a printer. See Figure 5 in particular.

Claims 14-15 are rejected along with claim 8 because no further structure of the system has been recited.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 4-7 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 897,219 to Meisel in view of U.S. Patent No. 3,718,394 to Tysko et al.

Meisel teaches a method of feeding a printer with individual sheets, the printer comprising a sheet draw-in arrangement, T, which operates at a draw-in speed, the method comprising accelerating a paper web to a desired advancement speed, severing an individual sheet from the paper web as the paper web is moved at the desired advancement speed, and directly feeding the severed individual sheet to the sheet draw-in arrangement. See page 1, line 108 - page 2, line 2.

Meisel does not teach the printer produces control commands by means of which in each case one sheet is requested, or that the method comprises receiving a control

command, by means of which a sheet is requested, having the advancement speed equal to the draw-in speed of the sheet draw-in arrangement of the printer; or conveying the sheet at a conveying speed, which is likewise equal to the draw-in speed of the sheet draw-in arrangement of the printer.

Tysko et al. teaches a method of feeding individual sheets to a printer, 10, which produces control commands by which a sheet is requested wherein the method comprises receiving a control command by means of which a sheet is requested, see column 5, line 57, having the advancement speed equal to the draw-in speed of the sheet draw-in arrangement of the printer, and conveying the sheet at a conveying speed, which is likewise equal to the draw-in speed of the sheet draw-in arrangement of the printer. See column 9, lines 43-50.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the printing method of Meisel to have the control commands and advancement speeds of Tysko et al. in order to efficiently and rapidly produce sheets for printing.

With respect to claim 4, Meisel teaches the paper web, P, is drawn off from a supply roll, W. See page 1, lines 97-102 and Figure 2.

With respect to claims 5-6, Meisel does not teach that the advancement speed of the paper web is reduced or stopped in each case following severing of an individual sheet and, on account of a new control command, is increased again to the desired advancement speed, which corresponds to the draw-in speed of the sheet draw-in arrangement.

Tysko et al. teaches that the advancement speed of the paper web is reduced or stopped in each case following severing of an individual sheet and, on account of a new control command, is increased again to the desired advancement speed, which corresponds to the draw-in speed of the sheet draw-in arrangement. See column 10, lines 28-44.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the printing method of Meisel to stop the paper web after an individual sheet is severed, as taught by Tysko et al., in order to only produce sheets for printing as they are needed.

With respect to claims 7 and 19, Meisel does not teach that in relation to the point in time at which the paper web reaches its desired advancement speed, the severing of an individual sheet is delayed by a time interval, the length of this time interval being determined by the desired format length of the individual sheet which is to be severed, the format length being measured in the conveying direction of the paper web.

Tysko et al. teaches that in relation to the point in time at which the paper web reaches its desired advancement speed, the severing of an individual sheet is delayed by a time interval, the length of this time interval being determined by the desired format length of the individual sheet which is to be severed, the format length being measured in the conveying direction of the paper web. See column 7, line 35 - column 10, line 20.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the printing method of Meisel to delay the severing of an

individual sheet for a time interval determined by the desired format length of the sheet, as taught by Tysko et al., in order to produce sheets of the right length for printing without requiring additional processing.

7. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meisel in view of Tysko et al. as applied to claims 1, 4-7 and 19 above, and further in view of U.S. Patent No. 5,765,460 to Wathieu.

Meisel and Tysko et al. teach all that is claimed, as in the above rejection of claims 1, 4-7 and 19, except that the paper web is severed by a rotary cutting device which has at least one cutting blade, which has a cutting edge and is clamped into a cylinder which can be driven in rotation, and a mating element, which interacts with the cutting blade and that the cylinder provided with the cutting blade is driven periodically at such a speed that the cutting edge of the cutting blade, as it comes together with the paper web, has a movement speed which is equal to or greater than the desired advancement speed of the paper web.

Wathieu teaches a paper web severed by a rotary cutting device which has at least one cutting blade, 74, which has a cutting edge and is clamped into a cylinder, 58, which can be driven in rotation, and a mating element, 50, which interacts with the cutting blade, 74, see column 6, lines 39-65, and that the cylinder, 58, provided with the cutting blade, 74, is driven periodically at such a speed that the cutting edge of the cutting blade, as it comes together with the paper web, has a movement speed which is



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equal to or greater than the desired advancement speed of the paper web. See column 7, line 60 - column 8, line 20.

It would have been obvious to one having ordinary skill in the art at the time of the invention to further modify the printing method of Meisel to have the rotary cutting device and cutting cylinder speed of Wathieu, in order to be able to sever the individual sheets from the paper web with precision.

8. Claims 10-13 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crowley in view of Wathieu.

With respect to claims 10 and 12, Crowley teaches all that is claimed, as in the above rejection of claims 8-9 and 14-15, except that the severing device is a rotary cutting device which has at least one cutting blade, which is clamped into a cylinder which can be driven in rotation, and a mating element, which interacts with said cutting blade that is a fixed mating blade extending transversely to the advancement direction of the paper web.

Wathieu teaches a rotary cutting device which has at least one cutting blade, 74, which is clamped into a cylinder, 58, that can be driven in rotation and a mating element which interacts with the cutting blade that is a fixed mating blade, 50, extending transversely to the advancement direction of the paper web. See column 6, lines 39-65.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the arrangement of Crowley to have the rotary cutting device

and mating blade of Wathieu in order to be able to sever the individual sheets from the paper web with precision.

With respect to claim 18, Crowley teaches the printer is a laser printer which processes individual sheets. See column 2, line 32.

Claims 11, 13 and 16-17 are rejected along with claim 10 because no further structure of the system has been recited.

### ***Conclusion***

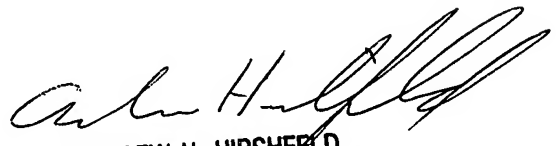
9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. 2,094,033 to Zuckerman, U.S. Patent No. 3,639,055 to Schleifenbaum, U.S. Patent No. 5,216,471 to Kajita et al. and U.S. Patent No. 5,829,898 to Hill et al. each teach a printer and a method of feeding the printer having obvious similarities to the claimed subject matter.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill E. Culler whose telephone number is (571) 272-2159. The examiner can normally be reached on M-Th 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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